

Indeed, for the reasons further set forth in said section, Mr. Skinner, not Defendant, is entitled to summary judgment on his first claim for relief.

3. Defendant is not entitled to summary judgment on the asserted ground that Defendant did not violate Mr. Skinner's constitutional rights because DNA testing would not exonerate him, for the reasons stated in Section III of Plaintiff's Brief.

Respectfully submitted,



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Date: July 14, 2011

CERTIFICATE OF SERVICE

On July 14, 2011, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, Amarillo Division, using the electronic case filing system of the Court. I hereby certify that I have served all counsel of record electronically in accordance with Federal Rule of Civil Procedure 5(b)(2)(E).

A handwritten signature in black ink, appearing to read "Robert C. Owen", written in a cursive style.

Robert C. Owen